

REMARKS

The specification has been reviewed, and clerical error of the specification has been amended. Also, the abstract has been changed to correct formalities. Further, claims 1-6 have been editorially amended.

In the Office Action of May 30, 2008, claims 1-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fujinawa (JP2002/341915) in view of Yamato (USP 6,754,555).

Fujinawa discloses a method for machining work in numerically controlled machine tool and its program. Essentially, the method in Fujinawa includes a step to specify a present tool and a next tool, steps to index the present tool and to perform a machining of the work, a step to index the next tool, a step to decide whether or not it is a timing for movement of the next tool during the machining of the work by the present tool, a step to move the next tool to the work side when it is decided that it is the timing, a step to perform retreat movement of the present tool from the work after completion of the machining of the work by the next tool substantially simultaneously with separation of the present tool from the work by the retreat movement.

Yamato teaches an interference preventing apparatus which performs an interference checking operation for plural interfering relationships between a movable member and a structural member. The interference checking section 53 checks for a possibility of the interference and if the possibility of the interference is confirmed, the interference checking section 53 outputs a drive stopping signal to drive controlling section 64, and outputs an alarm display signal to the alarm section 54.

The Examiner has asserted that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Fujinawa such that it adapts an interference prevention means, as taught by Yamato.

The applicant respectfully traverses the rejection(s) under 35 U.S.C. 103(a) on following grounds.

Yamato does not teach or suggest the interference relationship between the two tool rests moving each other. In Yamato, it was disclosed that, if the possibility of the interference is confirmed, the interference checking section 53 outputs a drive stopping signal to drive controlling section 64, and outputs an alarm display signal to the alarm section 54.

However, it is not taught or suggested that the method includes a step of obtaining, for both the first tool rest and the second tool rest, interference boundary positions at which the first tool rest and the second tool rest are in proximity but do not interfere with each other, as claim 1 recites in the present invention.

Also, the last two steps in claim 1 of the invention are not disclosed or suggested in both cited references.

Further, the steps recited in the present invention involving the interference boundary position do not exist in any one of cited references.

Because of such steps using the interference boundary position, the present invention reduces the time for changing the tools and the time for over all machining process.

In order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Both references do not disclose or suggest all the claim limitations of claim 1. Therefore, claim 1 is allowable over the cited references.

Claims pending in the application are patentable over the cited references.

Favorable reconsideration and allowance of this application
are courteously solicited.

Respectfully Submitted,

By Manabu Kanesaka
Manabu Kanesaka
Reg. No. 31,467
Agent for Applicants

1700 Diagonal Road, Suite 310
Alexandria, VA 22314
(703) 519-9785